

EXHIBIT 3

Kohlman
3501-O

1

1 5B23PARH Hearing

2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----x

5 UNITED STATES OF AMERICA,

6 v.

03 CR 1197 (SHS)

7 UZAIR PARACHA,

8 Defendant.

9 -----x

10 New York, N.Y.
11 November 2, 2005
12 9:45 a.m.

13 Before:

14 HON. SIDNEY H. STEIN,

15 District Judge

16 APPEARANCES

17 MICHAEL J. GARCIA
18 United States Attorney for the
19 Southern District of New York

20 ERIC B. BRUCE

21 KARL METZNER

22 Assistant United States Attorneys

23 ANTHONY L. RICCO

24 EDWARD D. WILFORD

25 Attorneys for Defendant

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Kohlmann - direct

1 is very important.

2 Q. When you say you post updates, you do that on your own Web
3 site?

4 A. Yeah. Or on the counter-terrorism blog which is another
5 Web site I am affiliated with.

6 THE COURT: Let me try to understand the nature of the
7 peer review you're talking about. When you say peer review, I
8 gather what you mean -- I don't want to put words in your
9 mouth, I think this is what you mean. Tell me if it isn't. Is
10 that by virtue of your findings going out of the Internet,
11 they're available for anyone who reads that posting to comment
12 on it. Is that what you're talking about?

13 THE WITNESS: Correct.

14 THE COURT: It's not as if it's a formal jury peer
15 review of an article that I believe happens for the Journal of
16 the American Medical Association or something like that.

17 THE WITNESS: Right, right.

18 THE COURT: I assume that happened at Georgetown,
19 based on what you've said.

20 THE WITNESS: Yes, your Honor. It's more informal.
21 It's more like having a blackboard, an international blackboard
22 and having different academics writing things on the blackboard
23 and discussing different elements. What they do, for instance,
24 the counter-terrorism blog which I am a part of, there are
25 often frequent discussions between different members of that

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Kohlmann - direct

1 United States, and North America.

2 MR. BRUCE: Just as a footnote, we didn't copy the
3 whole book for you, but it is available. We do have the table
4 of contents there.

5 THE COURT: I see.

6 Q. Mr. Kohlmann, what type -- how would you characterize your
7 book; what type of publication is it?

8 MR. WILFORD: Objection.

9 THE COURT: Sustained as to form. Just be more
10 specific.

11 Q. Certainly. Who is the intended audience for your book?

12 A. Well, it's Oxford University Press. So it's a university
13 publisher, which means it is an academic book. It is designed
14 primarily for use in classrooms, by academics, by other
15 experts. It is not a general reading book. It is pretty thick
16 and it is pretty detailed. There's over 400 footnotes.

17 THE COURT: Who is Berg Publishing?

18 THE WITNESS: Berg is an imprint of Oxford University
19 Press.

20 Q. Was your book, Government Exhibit 2, peer reviewed in any
21 way before it was published?

22 A. Yes, it was. My book was -- Berg, the imprint of Oxford,
23 is located in the United Kingdom which means the book is
24 subject to British liable law, which means in addition to the
25 lengthy peer review process that is normally afforded to

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Kohlmann - cross

1 opportunity for students who are interested, who really want to
2 get into the field, they offer opportunities at graduate level
3 research, but they're not required. They're only if you take
4 them upon yourself. I took those burdens upon myself because I
5 was very very interested in this particular area of study and
6 it happened that Georgetown University has a plethora of
7 professors who have various expertise on this issue.

8 But I mean, the honors thesis was entirely my own
9 option. There were individuals who are part of that program
10 who never even completed their thesis. So.

11 Q. But my question was inartful. The so-called thesis you did
12 it was simply a research paper, it wasn't a doctoral thesis?

13 A. No, it was called a thesis. The thesis I wrote for the
14 CMCU is known as a cap stone thesis. It is actually, if you
15 read Georgetown University materials, they refer to it as a cap
16 stone thesis, that's why I called it that, and my international
17 politics honors thesis is actually on my transcript as an
18 international politics honors thesis.

19 Q. It wasn't a doctoral thesis; is that correct?

20 A. No. Georgetown offers opportunity for undergrad students
21 that want to do graduate level research to conduct that
22 research.

23 THE COURT: It did not lead to a PhD.

24 THE WITNESS: No.

25 Q. It did not lead to any degrees, master's or anything else,

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Kohlmann - cross

1 right, no credit or anything else?

2 A. That's not exactly true, because the work I did in law
3 school for my J.D. was directly related to work I had done in
4 undergrad and work I was doing on terrorism.

5 Q. Sir, did you receive a degree from Georgetown University
6 based on your thesis, a master's or doctoral postgraduate
7 degree; yes or no?

8 A. I was never given a PhD, no.

9 Q. You didn't get a master's either, did you?

10 A. No.

11 Q. You went straight from Georgetown to law school?

12 A. That's correct.

13 Q. You mentioned you worked for the Investigative Project; is
14 that correct?

15 A. That's correct.

16 Q. And that was founded by somebody named Steve Emerson; is
17 that correct?

18 A. That's correct.

19 Q. And were you at the Investigative Project subsequent to the
20 Oklahoma City bombings; is that correct?

21 A. Very subsequent, but yeah.

22 Q. You are familiar with the fact that the Investigative
23 Project put out a report, or Steve Emerson put out a report
24 that the Oklahoma City bombings were the responsibility of
25 Islamic terrorists; is that correct?